

AMENDED IN ASSEMBLY MAY 14, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1324

Introduced by Assembly Member Bass

February 27, 2009

An act to amend Section 10618.6 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1324, as amended, Bass. Foster youth: identity theft.

Under existing law, a county welfare department is required to request a consumer disclosure, pursuant to federal law, on behalf of a youth in a foster care placement in the county, when the youth reaches his or her 16th birthday, in order to ascertain whether the youth has been the victim of identity theft. If the consumer disclosure reveals any negative items, or evidence that identity theft has occurred, existing law requires the county welfare department to refer the youth to an approved organization that provides services to victims of identity theft. Existing law requires the department to develop a list of approved organizations for this purpose, in consultation with the County Welfare Directors Association and others.

This bill would revise the above provisions, to require the county welfare department to ascertain whether identity theft may have occurred under the described circumstances. The bill would require the youth to be referred to a government or nonprofit organization that provides information and assistance to victims of identity theft, rather than to an approved counseling organization. *It would require the department to*

consult with the Office of Information Security and Privacy Protection, in addition to the other specified entities, in developing the list of government or nonprofit organizations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10618.6 of the Welfare and Institutions
2 Code is amended to read:
3 10618.6. When a youth in a foster care placement reaches his
4 or her 16th birthday, the county welfare department shall request
5 a consumer disclosure, *from the three national credit reporting*
6 *agencies*, pursuant to the free annual disclosure provision of the
7 federal Fair Credit Reporting Act, on the youth's behalf,
8 notwithstanding any other provision of law, to ascertain whether
9 or not identity theft may have occurred. If a consumer disclosure
10 for the youth exists, and if the consumer disclosure reveals any
11 negative items, or any evidence that some form of identity theft
12 may have occurred, the county welfare department shall refer the
13 youth to a governmental or nonprofit organization that provides
14 information and assistance to victims of identity theft. The State
15 Department of Social Services, in consultation with the County
16 Welfare Directors Association, *the Office of Information Security*
17 *and Privacy Protection*, consumer credit reporting agencies, and
18 other relevant stakeholders, shall develop a list of organizations
19 to which youth may be referred for assistance in responding to an
20 instance of suspected identity theft. Nothing in this section shall
21 be construed to require the county welfare department to request
22 more than one consumer disclosure on behalf of a youth in care,
23 or to take steps beyond referring the youth to an organization.

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